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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/316,040	05/21/1999	PHILIP W GILLIS	2925-0224/G1	7281

30594 7590 03/18/2002

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. BOX 8910  
RESTON, VA 20195

[REDACTED] EXAMINER

DAS, CHAMELI

ART UNIT	PAPER NUMBER
2122	6

DATE MAILED: 03/18/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No. 09/316,040	Applicant(s) Gillis
Examiner Chameli Das	Art Unit 2122



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

1)  Responsive to communication(s) filed on Feb 19, 2002.

2a)  This action is FINAL. 2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

### Disposition of Claims

4)  Claim(s) 1-65 is/are pending in the application.

4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-65 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

11)  The proposed drawing correction filed on \_\_\_\_\_ is: a)  approved b)  disapproved.

12)  The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119

13)  Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a)  All b)  Some\* c)  None of:

1.  Certified copies of the priority documents have been received.
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

14)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

### Attachment(s)

15)  Notice of References Cited (PTO-892)

18)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_

16)  Notice of Draftsperson's Patent Drawing Review (PTO-948)

19)  Notice of Informal Patent Application (PTO-152)

17)  Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_

20)  Other: \_\_\_\_\_

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1. This action is in response to the reconsideration filed on 2/19/02.
2. Claims 1- 2, 4-15, 17, 19-22, 26-34, 36- 37, 39- 48, 50-54, 57, 59, 61, 63-65 are rejected under 35 U.S.C. 102(b) as being anticipated by Batch et al, US Patent No. 5,423,023.
3. Claims 3, 18, 23-25, 35, 38, 49, 58 and 60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Batch et al, US Patent No. 5,423,023.

***Response to Arguments***

4. Applicant's arguments filed on 2/19/02 have been fully considered but they are not persuasive.

In the remark, the applicant has argued that:

- (A) Batch et al fails to teach input of process steps and a plurality of potential selections associated with the process steps claimed in the present application.
- (B) Batch et al fail to teach the process steps for use in the creation of a new software tool.

A) As noted in the last office action, Batch et al teach prompting input of process steps is shown in column 4 line 50-67 and column 8 line 40-46. The system has the capability to prompt the user for inputs inherently including prompting input of process steps. The plurality of potential selections associated with the process steps is shown in column 4 line 60-65, "The default input display may also prompt the user as to items which user must add as inputs at a given stage" inherently including plurality of potential selections associated with the process

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steps as claimed.

(B) Batch et al teach creation of a software tool is shown in ABSTRACT line 1-2, "integrates and manages a plurality of different task and software tools" inherently including creating a software tool, creation of a new software tool does not recite in any claim.

***Conclusion***

5. Thus, the rejection of the claims over the prior art in the previous office action is maintained (see paper # 7) and **THIS ACTION IS MADE FINAL**. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chameli Das whose telephone number is 703-306-3014. The examiner can normally be reached on Monday-Friday from 7:30 A.M to 4:00 P.M. If attempts to

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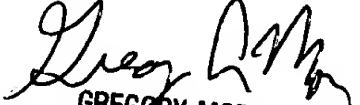
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reach the examiner by telephone are unsuccessful, the examiner's supervisor Greg Morse can be reached at 703-308-4789. The fax number for this group is 703-746-7239. An inquiry of general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is 703-305-9600.

CDAS

3/5/02

  
GREGORY MORSE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100